

EXHIBIT D

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Your COVID-19 Vaccine Religious Exemption Application - Determination

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S

solas_donotreply@schools.nyc.gov

Tue 9/21/2021 8:33 PM

To: Masciarelli Lorraine

09/21/2021

Case#: A75131

File# 0735976

EMP ID: 893680

Dear LORRAINE MASCIARELLI,

We have reviewed your application and supporting documentation for a religious exemption from the DOE COVID-19 vaccine mandate. Your application has failed to meet the criteria for a religious based accommodation. Per the Order of the Commissioner of Health, unvaccinated employees cannot work in a Department of Education (DOE) building or other site with contact with DOE students, employees, or families without posing a direct threat to health and safety. We cannot offer another worksite as an accommodation as that would impose an undue hardship (i.e. more than a minimal burden) on the DOE and its operations.

This application was reviewed in accordance with applicable law as well as the Arbitration Award in the matter of your union and the Board of Education regarding the vaccine mandate.

Under the terms of the Arbitration Award, you may appeal this denial to an independent arbitrator. If you wish to appeal, you must do so within one school day of this notice by logging into SOLAS <https://dhrnycaps.nycenet.edu/SOLAS> and using the option "I would like to APPEAL". As part of the appeal, you may submit additional documentation and also provide a reason for the appeal.

Sincerely,

HR Connect

Medical, Leaves, and Records Administration

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Ref Number : GX5911935 N3418 COVID-19_VAX_ReligiousExempt_GenDenial

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SCHEINMAN ARBITRATION AND MEDIATION SERVICES

----- X

In the Matter of the Arbitration

X

between

X

NEW YORK CITY DEPARTMENT OF EDUCATION

Re:UFT.1174

X

and

X

LORRAINE MASCIARELLI

X

----- X

Issue: Religious Exemption

Date of Hearing: October 4, 2021

Award

APPLICATION FOR EXEMPTION: GRANTED [] DENIED [X] OTHER []

On the record before me, Appellant failed to establish
entitlement to a religious exemption.



Arbitrator Julie A. Torrey

10/4/21

Date

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Reasonable Accommodation Appeal Determination

N noreply@salesforce.com on behalf of NYC Employee Vaccine Appeals <vax: ⏪ ⏩ ...
Tue 2/15/2022 2:48 PM
To: Masciarelli Lorraine

The City of New York Reasonable Accommodation Appeals Panel has carefully reviewed your Agency's determination, all of the documentation submitted to the agency and the additional information you submitted in connection with the appeal. Based on this review, the Appeals Panel has decided to deny your appeal. This determination represents the final decision with respect to your reasonable accommodation request.

The decision classification for your appeal is as follows: DOE has demonstrated that it would be an undue hardship to grant this accommodation to appellant given the need for a safe environment for in-person learning.

For all employees other than DOE employees: Pursuant to the City of New York's policy concerning the vaccine mandate, you now have **three business days** from the date of this notice to submit proof of vaccination. If you do not do so, you will be placed on a leave without pay (LWOP).

For Department of Education (DOE) employees: Pursuant to New York City Department of Education policy, you have seven calendar days to extend your Leave Without Pay or return to work. If you do neither, you will be subject to termination. For further information and instructions, please see [DOE Denial of Appeal Information](#).

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